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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

| | | |
|---------------------------|---|---|
| UNITED STATES OF AMERICA, |) | CR No. 09-0081 JSW |
| |) | |
| Plaintiff, |) | STIPULATION AND PROPOSED ORDER |
| |) | CONTINUING STATUS CONFERENCE AND |
| v. |) | EXCLUDING TIME UNDER 18 U.S.C. § 3161 |
| |) | |
| DAVID GARCIA PADILLA, |) | |
| |) | |
| Defendant. |) | |
| _____ |) | |

On February 12, 2009, the parties appeared before the Court for an initial appearance. At that time a further status conference was set for February 26, 2009. Parties request that this matter be continued from February 26, 2009 until March 12, 2009 for a change of plea. Parties also request that the Court exclude all time under the Speedy Trial Act between February 26, 2009 and March 12, 2009, for effective preparation of counsel because counsel must review and analyze discovery documents during this time period. 18 U.S.C. § 3161(h)(8)(B)(iv). The parties and the Court agreed that the ends of justice served by granting such a continuance for effective preparation of counsel outweigh the best interests of the public and the defendant in a

1 speedy trial. 18 U.S.C. § 3161(h)(8)(A).

2 SO STIPULATED:

3 JOSEPH P. RUSSONIELLO
4 United States Attorney

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6 DATED: February 25, 2009

_____/s
7 KATHERINE B. DOWLING
Assistant United States Attorney


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9 DATED: February 25, 2009

_____/s
10 DANIEL BLANK
Attorney for Defendant

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12 Failure to grant an exclusion of time for the requested continuance would deny counsel for
13 defendant reasonable time necessary for effective preparation of counsel. 18 U.S.C. §
14 3161(h)(8)(B)(iv). Therefore, the Court finds that exclusion of time from February 25, 2009 to
15 March 12, 2009, is warranted because the ends of justice served by the exclusion of time
16 outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. §
17 3161(h)(8)(A).

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19 SO ORDERED.

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23 DATED: February 25, 2009



24 THE HONORABLE JEFFREY S. WHITE
United States District Judge